

REMARKS

The application has been carefully reviewed in light of the Office Action dated November 21, 2006. Claims 34-63 are presented for examination, of which Claims 34, 46-49 and 54-60 are in independent form. Claims 34, 35, 37, 39, 46-49 and 54-60 have been amended to define still more clearly what Applicant regards as his invention, in terms which distinguish over the art of record. Favorable reconsideration is respectfully requested.

In the Office Action, Claims 49, 50, 53-60, 62 and 63 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 6,215,523 (Anderson et al.) in view of U.S. Patent 6,441,854 (Fellegara et al.). In addition, Claim 51 was rejected under Section 103(a) as being obvious from *Anderson '523* in view of *Fellegara* and U.S. Patent 6,657,702 (Chui et al.), Claim 52, as being obvious from *Anderson '523* in view of *Fellegara* and U.S. Patent 6,680,749 (Anderson et al.), Claims 34, 36-40, 44-48 and 61, as being obvious from *Anderson '749* in view of U.S. Patents 6,549,304 (Dow et al.) and 6,215,523 (Anderson et al.) and *Fellegara*, Claim 41, as being obvious from *Anderson '749* in view of *Dow, Anderson '523, Fellegara* and U.S. Patent 5,752,053 (Takakura et al.), and Claims 42 and 43, as being obvious from *Anderson '749* in view of *Dow, Anderson '523, Fellegara* and *Chui*.

Independent Claim 34 is directed to an image processing apparatus that comprises a capturing unit, adapted to capture a reduction image from a storage medium storing storage images, the reduction images respectively corresponding to the storage images, and a first display control unit, adapted to cause a display device to display the

reduction images. A reduction image selection unit is adapted to select reduction images from among the reduction images displayed by the first display control unit, and a second display control unit effects, in a size larger than that of the reduction image, automatic sequential display of images corresponding to the stored images which correspond respectively to the reduction images selected by the reduction image selection unit. Also provided is a designating unit adapted to designate at least one image among the images displayed by the second display control unit in the size larger than that of the reduction image, as an image to be subjected to a specific image process. Also, a specifying unit specifies the storage image(s) corresponding to the image(s) designated by the designating unit as the image(s) to be subjected to the specific image process, as an image group to be subjected to the specific image process, when the automatic sequential display is completed.

Thus, among other notable features of an apparatus constructed according to Claim 34, is that the apparatus effects, in a size larger than that of a captured reduction image, automatic sequential display of images corresponding to stored images which correspond respectively to captured reduction images selected by a reduction image selection unit. (That is, a selection is made among reduction images, such as thumbnails, and an automatic sequential display is made that displays larger images each corresponding to one of the thumbnails.) Another such feature is the presence of a designating unit adapted to designate at least one of the images that are automatically sequentially displayed, as an image to be subjected to a specific image process, and a specifying unit adapted to specify the storage image corresponding to the designated image(s) as a group of

images to be subjected to the specific image process, when the automatic sequential display of the images is completed.

By virtue of these features recited in Claim 34, during the automatic sequential display of the images, because these images are shown in a larger size than the reduction images, it is easy for the user to judge whether each image displayed is good or not, and then to designate the acceptable ones to be subjected to the specific image process.

Anderson'749 appears to Applicant to show in Fig.13 display of a large thumbnail image 854, as well as samples 852 provided by subjecting the same large thumbnail image 854 to each of a plurality of different effects, so that a user can select an image from among the displayed samples 852 to be saved or printed. It is noted, however, that in the *Anderson'749* system, image 854 has already been subjected to each of plural effects (processings), and thus the selection made by the user is not the selection of an image to be subjected to a specified process as recited in Claim 34, but rather is merely selection among those effects. That is, according to Claim 34, the user selects one or more images to be subjected to a specific processing, while *Anderson'749* only suggests a user selecting from among plural processings as applied to a single, specified image. Applicant submits that nothing has been found in *Anderson'749* that would teach or suggest designating at least one image from among images automatically sequentially displayed in a size larger than that of a reduction image, as an image to be subjected to a specific image process. Much less does anything in that patent suggest specifying one or more storage image(s) corresponding to the image(s) so designated by the designating unit

as the image(s), as a group of images to be subjected to the specific image process, when the automatic sequential display of the images is completed, as recited in Claim 34.

Even if the other references applied against Claim 34 (*Dow, Anderson'523* and *Fellegara*) are assumed for argument's sake to show all that it is cited for, and even assuming that the proposed combination would be a permissible one, the result does not meet the recitations of Claim 34, in that the combination would still lack the "designating unit *adapted to designate at least one image* among the images displayed by said second display control unit in the size larger than that of the reduction image, *as an image to be subjected to a specific image process* [emphases added]" recited in Claim 34. For at least that reason, it is believed that Claim 34 is allowable over the documents cited against it, taken separately or in any permissible combination (if any).

Independent Claim 49 is directed to an image processing apparatus that comprises a capturing unit adapted to capture reduction images stored in a storage medium, and a display control unit adapted to cause a display device to automatically change, sequentially, display of images each larger than, and each corresponding to, a respective reduction image captured by the capturing unit. Also provided are an indicating unit, adapted to indicate at least one image among the images automatically changed and sequentially displayed by the display control unit, and a registering unit, adapted to register the image indicated by the indicating unit as a target of a single process.

Among other notable features of an apparatus according to Claim 49, thus, is automatically changing and sequentially displaying images each larger than, and each corresponding to, a respective captured reduction image, and using an indication unit to

indicate plural images from among the images automatically changed and sequentially displayed, and using a registering unit to register the plural images indicated by the indicating unit, as a target of a single process.

Similarly, independent Claim 54 is directed to an image processing apparatus that comprises a capturing unit adapted to capture images stored in a storage medium, and a display control unit adapted to control so that the images captured by the capturing unit are automatically and sequentially displayed entirely on a display device as a slideshow. Also recited are an indicating unit, adapted to indicate at least one image among the images displayed as the slideshow by the display control unit, and a registering unit, adapted to register the image indicated by the indicating unit, as a target of a specific process.

Among other notable features of an apparatus according to Claim 54, thus, is automatically and sequentially displaying images entirely on a display device as a slideshow, and using an indication unit to indicate at least one image from among the images automatically and sequentially displayed, and using a registering unit to register the image indicated by the indicating unit, as a target of a single process.

From the analysis given in the Office Action at pages 2-4, Applicant understands that the Examiner agrees that the terms of Claims 49 and 54 are not fully met by *Anderson '523* taken alone. In particular, it is understood that the Examiner believes that that patent fails to teach the “a display control unit adapted to cause a display device to automatically change, sequentially, display of images each larger than, and each corresponding to, a respective reduction image captured by said capturing unit [emphasis

added]” of Claim 49, and the “a display control unit adapted to control so that the images captured by said capturing unit are *automatically* and sequentially displayed entirely on a display device as a slideshow [emphasis added]” of Claim 54, but believes that those features, in particular the automatic effecting of the recited sequential display, are taught by *Fellegara*.

From a review of these two patents, however, it appears that *Anderson '523* does not in fact teach or suggest all the elements of either Claim 49 or Claim 54 other than the automatic sequential display (or slideshow). In particular, nothing has been found in *Anderson '523* that would teach or suggest the “a registering unit adapted to register the image indicated by said indicating unit *as a target of a single process* [emphasis added]” recited in Claim 49, or the “a registering unit adapted to register the image indicated by said indicating unit, *as a target of a specific process* [emphasis added]” recited in Claim 54. The portion of *Anderson '523* cited in the Office Action as disclosing such features, however, does not appear to contain any suggestion of either quoted recitation. That portion of *Anderson '523* begins:

“The user may navigate through the series of small thumbnails 700 in the LCD screen 402 using the four-way navigation control button 409. When the user depresses or holds down the left/right buttons 410, the small thumbnails 700 are scrolled-off the LCD screen 402 and replaced by new small thumbnails 700 representing other captured images to provide for fast browsing of the camera contents.” (*Anderson '523*, col. 10, lines 50-56).

This sentence, has to do only with navigation, and does not have to do with registering a particular image for any purpose, much less to do so to identify a particular image as the

subject for a process, as recited in Claim 49 or as recited in Claim 54. The noted portion of *Anderson* '523 continues as follows:

"A stationary selection arrow line 702 is used as both a navigational aid and to indicate which small thumbnail 700 is the currently selected image. As the user presses the navigation buttons 410 and the small thumbnails 700 scroll across the LCD screen 402, the small thumbnail 700 that is positioned over a selection indication in the selection arrow line 702 is considered the currently selected image. In an alternative embodiment, the selection indication is stationary except when positioned near the beginning and the end of the image list." (*Anderson* '523, col. 10, lines 56-65)

This three sentences have to do with the use of stationary selection arrow line 702, and how that line is used to identify which image is the currently selected one. This does not relate at all to a unit that registers an image as being the subject of a particular process. The text of *Anderson* '523 continues:

"In a preferred embodiment, when no captured images are available in the camera, the LCD 702 displays a message indicating this to be the case. When only one image is available, then the small thumbnail 700 representing that image is displayed above the selection indication in the selection arrow line 702. And when there are more than four images in the camera, the selection arrow line 702 displays arrow heads to indicate movement in that direction is possible with the left/right navigation buttons 410." (*Anderson* '523, col. 11, lines 1-10)

This quotation also fails to suggest a registering unit as recited in either Claim 49 or Claim 54. Rather, this text merely states what happens if there are no captured images available in the camera (first sentence), or if only one is available (second sentence), or if more than four are present (third sentence).

In short, it is not at all understood how one of ordinary skill would from this portion of *Anderson* '523, or from any other part of that patent, obtain a suggestion of

registering a particular image as the subject of a particular process, or any suggestion of a register unit for performing such registration. Accordingly, should the Examiner repeat this rejection, or make a new rejection based on the assertion that a teaching of such registration is found in *Anderson* '523, it is respectfully requested that further clarification be provided to Applicant as to exactly how the Examiner believes that such teaching is present in that patent.

Accordingly, even if the other reference applied against Claims 49 and 54 (*Fellegara*) is assumed for argument's sake to show all that it is cited for, and even assuming that the proposed combination would be a permissible one, the result does not meet the recitations of Claim 49 or those of Claim 54, in that the combination would still lack the recited registering units. For at least that reason, it is believed that Claims 49 and 54 are allowable over the documents cited against them, taken separately or in any permissible combination (if any).

Independent Claims 46-48 are method, medium and program claims corresponding to apparatus Claim 34, respectively, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 34.

Independent Claims 55-57 are method, medium and program claims corresponding to apparatus Claim 49, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 49. Similarly, independent Claims 58-60 are method, medium and program claims corresponding to apparatus Claim 54, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 54.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

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